

the State of California, one in each Federal judicial district in the State.

Each committee has a membership of six individuals: three appointed by the White House and three appointed jointly by Senator FEINSTEIN and me. Each member's vote counts equally, and a majority is necessary for recommendation of a candidate.

Mr. Hayes was reviewed by the Southern District Committee and strongly recommended for this position. I continue to support this bipartisan selection process and the high quality nominees it has produced.

Mr. Hayes had extensive civil experience as a private attorney before becoming a Federal prosecutor, rising to the position of head of the criminal division in the U.S. attorney's office in San Diego.

The southern district will benefit greatly from the exemplary services of Mr. Hayes, and I fully support confirmation of this nominee.

I wish to emphasize, once again, to my colleagues that we have a wonderful process in place in California to come up with these nominees for the district court. Senator FEINSTEIN and I have three members on the committee. The Bush administration has three members on the committee. It takes a majority vote. This means we are working together, and we have proven that we can come up with mainstream nominees for the district court. I urge an "aye" vote.

Mr. HATCH. Mr. President, I am pleased today to speak in support of William Q. Hayes, who has been nominated to the United States District Court for the Southern District of California.

Mr. Hayes received both his J.D. and M.B.A. from Syracuse University in 1983. Following his graduation, he spent a year in private practice until 1987, at which time he went to work for the United States Attorney's Office for the Southern District of California. He was eventually elevated to chief of the criminal division of that office in recognition of his exceptional legal abilities. Despite the demands of his career in public service, he has nevertheless found the time to teach at both the undergraduate and law school levels.

Mr. Hayes is an exceptional nominee who will be a fine addition to the Federal bench, and I urge my colleagues to join me in supporting his nomination.

I yield the floor.

Mr. STEVENS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. STEVENS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. STEVENS. There is one amendment that might still require a vote tonight. We think it will be worked out. So many people want to start this

vote, I suggest we start it. If that amendment is worked out, there will be more votes tonight, but we should know before the rollcall is over. So I suggest we start the rollcall now.

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the nomination of William Q. Hayes, of California, to be United States District Judge for the Southern District of California?

Mr. BOND. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. REID. I announce that the Senator from Florida (Mr. GRAHAM) and the Senator from Connecticut (Mr. LIEBERMAN) are necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 98, nays 0, as follows:

[Rollcall Vote No. 375 Ex.]

YEAS—98

Akaka	Dodd	Lott
Alexander	Dole	Lugar
Allard	Domenici	McCaain
Allen	Dorgan	McConnell
Baucus	Durbin	Mikulski
Bayh	Edwards	Miller
Bennett	Ensign	Murkowski
Biden	Enzi	Murray
Bingaman	Feingold	Nelson (FL)
Bond	Feinstein	Nelson (NE)
Boxer	Fitzgerald	Nickles
Breaux	Frist	Pryor
Brownback	Graham (SC)	Reed
Bunning	Grassley	Reid
Burns	Gregg	Roberts
Byrd	Hagel	Rockefeller
Campbell	Harkin	Santorum
Cantwell	Hatch	Sarbanes
Carper	Hollings	Schumer
Chafee	Hutchinson	Sessions
Chambliss	Inhofe	Shelby
Clinton	Inouye	Smith
Cochran	Jeffords	Snowe
Coleman	Johnson	Specter
Collins	Kennedy	Stabenow
Conrad	Kerry	Stevens
Cornyn	Kohl	Sununu
Corzine	Kyl	Talent
Craig	Landrieu	Thomas
Crapo	Lautenberg	Voinovich
Daschle	Leahy	Warner
Dayton	Levin	Wyden
DeWine	Lincoln	

NOT VOTING—2

Graham (FL) Lieberman

The nomination was confirmed.

Mr. STEVENS. Mr. President, I move to reconsider the vote, and I move to lay that motion on the table.

The motion to lay on the table was agreed to.

#### NOMINATION OF JOHN A. HUSTON, OF CALIFORNIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF CALIFORNIA

The PRESIDING OFFICER. Under the previous order, the clerk will report the next nomination.

The legislative clerk read the nomination of John A. Houston, of California, to be United States District

Judge for the Southern District of California.

The PRESIDING OFFICER. Under the previous order, there are 2 minutes of debate equally divided prior to the vote on the nomination.

Who yields time?

Mr. STEVENS. I yield all time on our side.

The PRESIDING OFFICER. Is anyone seeking time?

All time has expired.

The question is, Will the Senate advise and consent to the nomination of John A. Houston, of California, to be United States District Judge for the Southern District of California?

The nomination was confirmed.

Mr. STEVENS. Mr. President, I move to reconsider the vote, and I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. HATCH. Mr. President, I am pleased today to speak in support of John Houston, who has been confirmed to the United States District Court for the Southern District of California.

Judge Houston, a graduate of the University of Miami School of Law, has used his outstanding legal skills in public service. He first served in the United States Army Judge Advocate General Corps and then in various positions at the U.S. Attorney's Office for the Southern District of California before his appointment in 1998 as a Federal magistrate judge, the position in which he currently serves.

Judge Houston has won many accolades for his legal skills, including awards from the National Association of Black Customs Enforcement Officers and from the Organized Crime Drug Enforcement Task Force for Outstanding Contributions. He was also presented with the Director's Award for Superior Performance in Asset Forfeiture by then-Attorney General Janet Reno.

In addition to his judicial responsibilities, Judge Houston finds time to participate in community programs that assist children in meeting educational and economic challenges. He has, for example, opened his courtroom to public school students to give them hands-on lessons in the judicial process. And he has served as a mentor to young African-American men who have excelled in high school to prepare them for college and beyond.

I applaud President Bush for his nomination of Judge Houston and am confident that he will serve on the bench with compassion, integrity and fairness.

Mr. HATCH. Mr. President, I am pleased today to speak in support of Robert Clive Jones, who has been confirmed to the United States District Court for the District of Nevada.

Before I go any further, I must tell you that Judge Jones is a fellow Cougar—a graduate of my alma mater, Brigham Young University. He then attended UCLA School of Law, where he graduated in the top 10 percent of his

class—a member of the Order of the Coif—and where he had been an associate editor of the UCLA Law Review.

Following his graduation from law school, Judge Jones clerked for the Ninth Circuit Judge J. Clifford Wallace. He then entered into private practice with the Las Vegas law firm of Albright and McGimsy, as an associate, specializing in tax law, real property, bankruptcy, and commercial law. He then worked at the law firm of Jones & Holt, where he was a partner.

In 1983, Judge Jones was appointed to the U.S. Bankruptcy Court for the District of Nevada, where he currently serves. He simultaneously served as a member of a three-judge panel for the U.S. Bankruptcy Appellate Panel of the Ninth Circuit from 1986 until 1999.

In addition to his judicial responsibilities, Judge Jones participates in the promotion of State bar pro bono bankruptcy services, which include educating the public on bankruptcy law. He also finds time to volunteer his services to such charitable organizations as the American Cancer Society and Opportunity Village, a group that assists the mentally disabled.

I applaud President Bush for his nomination of Judge Jones and am confident he will continue to be an asset on the Federal bench.

Mrs. BOXER. Mr. President, I am pleased to offer my support for the nominee for the Southern District Court of California, John Houston.

I wish to emphasize the excellent process that we have in place to select district court nominees in California.

In a truly bipartisan fashion, the White House Counsel, Senator FEINSTEIN and I worked together to create four judicial advisory committees for the State of California, one in each federal judicial district in the state.

Each committee has a membership of six individuals: three appointed by the White House, and three appointed jointly by Senator FEINSTEIN and me. Each member's vote counts equally, and a majority is necessary for recommendation of a candidate.

This nominee was reviewed by the Southern District Committee and strongly recommended for this position. I continue to support this bipartisan selection process and the high quality nominees it has produced.

Judge Houston had extensive experience as a federal prosecutor before his appointment as a magistrate judge in San Diego.

I was delighted to meet Judge Houston and his family during his Judiciary Committee hearing in September and wish them all the very best.

The Southern District will benefit greatly from the exemplary services of Judge Houston, and I fully support confirmation of this nominee.

# NOMINATION OF ROBERT CLIVE JONES, OF NEVADA, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF NEVADA

The PRESIDING OFFICER. Under the previous order, the clerk will report the next nomination.

The legislative clerk read the legislation of Robert Clive Jones, of Nevada, to be United States District Judge for the District of Nevada.

The PRESIDING OFFICER. Under the previous order, there are now 2 minutes of debate equally divided prior to the vote on the nomination.

Who yields time?

Mr. STEVENS. Mr. President, I yield our time.

Mr. REID. I yield our time.

The PRESIDING OFFICER. All time has expired.

The question is, Will the Senate advise and consent to the nomination of Robert Clive Jones, of Nevada, to be United States District Judge for the District of Nevada?

The nomination was confirmed.

Mr. STEVENS. Mr. President, I move to reconsider the vote, and I move to lay that motion on the table.

The motion to lay on the table was agreed to.

# NOMINATION OF PHILLIP S. FIGA, OF COLORADO, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF COLORADO

The PRESIDING OFFICER. Under the previous order, the clerk will report the next nomination.

The legislative clerk read the nomination of Phillip S. Figa, of Colorado, to be United States District Judge for the District of Colorado.

The PRESIDING OFFICER. Under the previous order, there are now 2 minutes of debate equally divided prior to the vote on the nomination.

Who yields time?

Mr. ALLARD. Mr. President, I rise today on the occasion of the confirmation of Phil Figa to the United States District Court for the District of Colorado. I urge my colleagues to vote favorably on Figa's confirmation, a man who represents the very best our legal system has to offer. The Judiciary is a fundamental institution of our democracy; it is given neither force nor will, but merely judgment. Our Constitution dictates that the President shall nominate, and by and with the advice and consent of the Senate, shall appoint judges of the Federal Court. Today we can fulfill this obligation by confirming Mr. Figa. With further commitment to the country's founding principles, we can move toward fulfilling this commitment in regard to all outstanding vacancies. I want to thank Chairman HATCH and Senator LEAHY for the great speed with which Mr. Figa's nomination has moved through the Senate. Nominated by the President in June, this vote is a shin-

ing example of a process that can work when a spirit of bipartisanship triumphs. Chairman HATCH, your leadership is truly appreciated.

In light of recent terrorist attacks, it is readily apparent that we face a new age of global unrest, a world in which terror has replaced formal declarations of war as the major threat against freedom and democracy. A necessary component of providing justice to those who would do harm to our nation is to maintain an efficient court system—a court equipped with the personnel and resources that enable it to fulfill its role as a pillar of our constitutional system of governance. Swift punishment serves as a warning to tyranny and a deterrent to evil. By filling this vacancy, America continues to show its resolve in justice and law.

Mr. Figa's nomination arose after Judge Richard Matsch, who presided over the Oklahoma City bombing trial, went to senior status. Judge Matsch's departure leaves big shoes to fill. However, after months of background investigations and congressional inquiry, it is obvious that Phil Figa is the right person for the job.

For the past several years, I have had the opportunity to get to know Phil's wonderful family. His wife Candy, and their two children, Ben and Lizzie, were able to watch their father's job interview before the Senate Judiciary Committee last month. I admire the strong family values so apparent in every member of the Figa family—it was their continued support and encouragement that provided the strength and energy he needed in order to stand steadfast in pursuit of this most worthy endeavor. Together, the family enjoys the Colorado outdoors, spending free time hiking and biking in the mountains. According to Criminal defense lawyer Gary Lozow, Figa is a “thoughtful and bright person who will make a good Federal judge and is mindful of the awesomeness of taking on that responsibility.”

The two major newspapers in my home State of Colorado agree. The Rocky Mountain News noted, Phil has achieved a rare balance in his life of family, law practice and community activities. The Denver Post, in an endorsement earlier this year, noted that Figa is a good, solid choice for the bench. The Post was encouraged by the fact that Figa's background is in civil litigation, which makes up a high percentage of the cases handled by Federal judges.

I am not the only one who believes that his keen intellect and temperament is ideal for the bench. In a letter dated June 10, 2003, Senator CAMPBELL and I wrote to the committee, “Mr. Figa is highly qualified and will ably serve the people of the United States . . . (he) is well known throughout the Colorado legal community for his credibility, integrity, hard work and firm grasp of the law.” His supporters hail from across party lines and include a variety of elected officials from